

November 25, 1992

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

FCC - MAIL ROOM

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street N.W., Room 222  
Washington, DC 20554

Dear Ms. Searcy:

I am transmitting herewith an original and four  
copies of the Comments of Wheeler Broadcasting, Inc. and  
Midwest Dimensions, Inc. opposing Docket 92-212.

Should there be any questions concerning this matter,  
please contact the undersigned.

Respectfully,

*Bruce C. Herzog*

Bruce C. Herzog  
Broadcast Engineering Consultant  
1435 Knapp Street  
Oshkosh, WI 54901

(414) 426-2961

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FCC - MAIL ROOM

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

IN THE MATTER OF ]

AMENDMENT OF SECTION 73.202(B), ]  
TABLE OF ASSIGNMENTS, ]  
F.M. BROADCAST STATIONS, ]  
(ALLOUEZ, WISCONSIN) ]

DOC-92-228

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To the Commission:

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

COMMENT TO PROPOSED RULEMAKING

Wheeler Broadcasting, Inc. ("Wheeler"), licensee of F.M. radio broadcast station WOWN at Shawano, Wisconsin, and Midwest Dimensions, Inc. ("Midwest"), licensee of F.M. radio broadcast station WPKR at Waupun, Wisconsin, hereby jointly submit a counter-proposal to the Commission's Notice of Proposed Rulemaking ("NPRM") to amend the F.M. table of assignments, section 73.202(b) of the Commission's Rules and Regulations as follows:

<u>CITY</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Shawano, Wisconsin	257-C3	295-C3
Oconto, Wisconsin	296-A	246-A
Escanaba, Michigan	246-C	245-C
Allouez, Wisconsin	NONE	NONE

In support of these Comments to a Petition for Rulemaking, Wheeler and Midwest respectfully submit an engineering statement prepared by Bruce Charles Herzog, attached hereto as Appendix 1.

Michael R. Walton has petitioned the commission to allocate channel 294-C3 at Allouez, Wisconsin. Wheeler and Midwest hereby request that the Commission make the channel substitutions requested in these comments and modify the license of F.M. radio station WGLQ at Escanaba, Michigan to specify operating on Channel 245-C, modify the license of F.M. radio station WOCO-FM at Oconto, Wisconsin to operate on Channel 246-A, and change the allotment of F.M. radio station WOWN at Shawano, Wisconsin (FCC File Number BPH-9106071B) to Channel 295-C3 so that WOWN may eliminate its short spacings to F.M. radio broadcast stations WBNZ at Frankfort, Michigan and to F.M. radio broadcast station WPKR at Waupun, Wisconsin.

Allouez, Wisconsin is a suburb of Green Bay, Wisconsin. The Green Bay area is currently being served by 3 high-powered (25 KW or more) commercial F.M. radio broadcast stations with a fourth station having a construction permit for 25,000 watts and 4 applicants for a Class C3 allocation to a nearby community whose restricted transmitter location will allow it to serve the Green Bay area. Wheeler and Midwest believe that the public can be better served by eliminating interference to existing stations than by adding an additional station to an area that is already being adequately served.

If the Commission goes forward to make the assignments hereby petitioned, Wheeler shall immediately make application to the Federal Communications Commission for

a construction permit to make the channel change of WOWN on its new channel.

If such applications are granted by the Commission the petitioner shall promptly construct the permitted facility.

Respectfully submitted,

By Ray L. Wheeler

Ray L. Wheeler  
Chairman  
Wheeler Broadcasting, Inc.  
1456 E. Green Bay Street  
Shawano, WI 54166

(715) 524-2194

By James R. Coursolle

James R. Coursolle  
President  
Midwest Dimensions, Inc.  
P.O. Box 3450  
Oshkosh, WI 54903

(414) 236-4242

APPENDIX 1

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

ENGINEERING STATEMENT

IN THE MATTER OF:

AMENDMENT OF SECTION 73.202(B),  
TABLE OF ASSIGNMENTS,  
F.M. BROADCAST STATIONS,  
(ALLOUEZ, WISCONSIN)

DOC-92-228

PREPARED FOR:

WHEELER BROADCASTING, INC.  
AND MIDWEST DIMENSIONS, INC.  
NOVEMBER 24<sup>TH</sup>, 1992

PREPARED BY:

BRUCE CHARLES HERZOG  
BROADCAST ENGINEERING CONSULTANT  
1435 KNAPP STREET  
OSHKOSH, WI 54901

(414) 426-2961

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  6. TABLE IV, ESCANABA, MICHIGAN CHANNEL 245-C STUDY, Pages 1 and 2
- 

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STATE OF WISCONSIN )  
COUNTY OF WINNEBAGO )  
CITY OF OSHKOSH )

BRUCE CHARLES HERZOG, BEING FIRST DULY SWORN STATES:

THAT HE IS AN BROADCAST ENGINEERING CONSULTANT WITH  
OFFICES AT 1435 KNAPP STREET; OSHKOSH, WISCONSIN 54901.

THAT HIS QUALIFICATIONS ARE A MATTER OF RECORD BEFORE THE  
FEDERAL COMMUNICATION COMMISSION IN WASHINGTON, D.C.

THAT HE HAS PREPARED NUMEROUS AM, FM, TELEVISION,  
TRANSLATOR AND MICROWAVE RADIO APPLICATIONS WHICH HAVE  
BEEN PROCESSED TO GRANT BY THE F.C.C.

THAT ALL CALCULATIONS AND/OR MEASUREMENTS AND EXHIBITS IN  
THE ACCOMPANYING REPORT WERE MADE BY HIM PERSONALLY OR  
UNDER HIS DIRECTION, AND THAT ALL FACTS CONTAINED HEREIN  
ARE TRUE OF HIS PERSONAL KNOWLEDGE OR BELIEF, AND ON SUCH  
STATEMENTS MADE ON BELIEF, THEY ARE BELIEVED TO BE TRUE.

Bruce C Herzog

AFFIANT

SUBSCRIBED AND SWORN BEFORE ME THIS 24<sup>TH</sup> OF NOVEMBER, 1992.

Diane Coursole

NOTARY PUBLIC

Diane Coursole  
NOTARY PUBLIC

DATE OF COMMISSION EXPIRATION: \_\_\_\_\_

My Commission Expires Sept. 15, 1996

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NOV 27 1992

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FCC - MAIL ROOM

IN THE MATTER OF

AMENDMENT OF SECTION 73.202(B),  
TABLE OF ASSIGNMENTS,  
F.M. BROADCAST STATIONS,  
(ALLOUEZ, WISCONSIN)

DOCKET 92-228

RECEIVED

NOV 27 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

ENGINEERING STATEMENT

Wheeler Broadcasting, Inc. ("Wheeler"), licensee of F.M. radio broadcast station WOWN at Shawano, Wisconsin, and Midwest Dimensions, Inc. ("Midwest"), licensee of F.M. radio broadcast station WPKR at Waupun, Wisconsin have retained the services of Bruce Charles Herzog, Broadcast Engineering Consultant, to conduct engineering studies and prepare necessary statements and exhibits to oppose the petition of Michael R. Walton ("Walton") to amend section 73.202(b) of the Commission's Rules and Regulations, to assign F.M. channel 260-C3 at Allouez, Wisconsin.

WOWN is currently short spaced to F.M. radio broadcast stations WNBZ at Frankfort, Michigan and WPKR at Waupun, Wisconsin. In order to eliminate these short spacings and any possible interference thereby resulting, a channel search was conducted to see if any fully spaced F.M. channels could be substituted for Channel 257-C3 at Shawano, Wisconsin. The only channel that could be substituted at the WOWN currently authorized site is Channel 295-C3. This channel substitution could only be made by changing the channel allotment of WOCO-FM



at Oconto, Wisconsin which is currently on Channel 296-A and by having the Commission dismiss the proposed allocation by Walton of Channel 294-C3 at Allouez, Wisconsin.

Allouez, Wisconsin is a suburb of Green Bay, Wisconsin. Table I shows a listing of F.M. and A.M. radio broadcast stations serving the Green Bay, Wisconsin area. Wheeler and Midwest believe the Green Bay area is currently being adequately served with the existing stations.

Table II is a Channel Study for Channel 296-C3 at Shawano, Wisconsin. As can be evidenced from the channel study WOWN could change from Channel 257-C3 to Channel 295-C3 if Walton's petition is denied and WOCO-FM moves to another channel.

Table III is a Channel Study for Channel 246-A at Oconto, Wisconsin. As can be evidenced from the channel study WOCO-FM could change from Channel 296-A to Channel 246-A if WGLQ at Escanaba, Michigan changes from Channel 246-C to Channel 245-C.

Table IV is a Channel Study for Channel 245-C at Escanaba, Michigan. As can be evidenced from the channel study the only problem with WGLQ changing to this channel is a diminimus short spacing to WBDK at Algoma, Wisconsin at the site applied for (FCC File Number BPH-920624IC). WBDK has agreed in principle to relocate its transmitter site should Wheeler and Midwest's counter-proposal to Walton's petition for rulemaking be granted.

Calculations of distance separations set forth

in the attached Tables were conducted in accordance with methodology set forth in Section 73.208 of the Commission's rules.

Wheeler and Midwest believe that the public interest, convenience and necessity would be better served by reducing interference in the F.M. band than by adding an addition radio station in the Green Bay, Wisconsin area.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Bruce C. Herzog", is written over a horizontal line.

Bruce Charles Herzog

November 24'th, 1992

TABLE I

F.M. RADIO STATIONS SERVING THE GREEN BAY AREA

<u>CITY OF LICENSE</u>	<u>CALL SIGN</u>	<u>STATUS</u>	<u>CLASS</u>	<u>POWER</u>
APPLETON, WI	WAPL-FM	LIC	C	100 KW
DE PERE, WI	WJLW	UPGRADE CP	C3	25 KW
GREEN BAY, WI	WYPD	NEW CP	C1	50 KW
GREEN BAY, WI	WPNE-FM	LIC	C1	100 KW
GREEN BAY, WI	WORQ	NEW CP	A	6 KW
GREEN BAY, WI	WGBW	UPGRADE CP	C3	16 KW
GREEN BAY, WI	WQLH	LIC	C1	100 KW
GREEN BAY, WI	WIXX	LIC	C	100 KW
KAUKAUNA, WI	ALLOC	4 APPLICATIONS ON FILE	C3	25 KW

A M. RADIO STATIONS SERVING THE GREEN BAY AREA

GREEN BAY, WI	WDUZ	LIC
GREEN BAY, WI	WGEE	LIC
GREEN BAY, WI	WNFL	LIC

TABLE II  
CHANNEL STUDY

JOB TITLE: SHAWANO, WISCONSIN  
 CHANNEL: 295  
 FREQUENCY: 106.9 MHZ  
 CLASS: C3  
 COORDINATES: 44°-45'-14" N.L. 88°-20'-01" W.L. (WOWN AUTHORIZED SITE)  
 PETITIONER: WHEELER BROADCASTING, INC. & MIDWEST DIMENSIONS, INC.  
 DATE: NOVEMBER 22'ND, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DI ST. (KM.)	REQ. (KM.)
WJMR APP	PESHTIGO WI	BMPH-900130IE	241 A	2.89 139.0	45-07-19 87-51-07	42.9	55.84 43.84	12.0 CLEAR
WJMR CP	PESHTIGO WI	BPH-881024MB	241 A	3.0 70.0	45-05-58 87-40-35	53.5	64.55 52.55	12.0 CLEAR
PRM	PESHTIGO WI	DOC-91-240	241 A		45-05-58 87-40-35	53.5	64.55 52.55	12.0 CLEAR
** DELETION OF THIS CHANNEL PROPOSED **								
PRM	PESHTIGO WI	DOC-91-240	242 C2		45-07-19 87-51-07	42.9	55.84 38.84	17.0 CLEAR
** ADDITION OF THIS CHANNEL PROPOSED **								
NEW APP	STEPHENSON MI	BPH-910719MB	292 C2	50.0 150.0	45-16-45 87-40-26	41.7	78.18 22.18	56.0 CLEAR
ALLOC	STEPHENSON MI	DOC-89-500	292 C2		45-24-54 87-36-24	37.9	93.13 37.13	56.0 CLEAR
WLJY LIC	MARSHFIELD WI	BLH-800213AD	293 C1	100.0 244.0	44-38-41 89-51-11	264.2	121.04 45.04	76.0 CLEAR
PRM	ALLOUEZ WI		294 C3		44-30-50 88-02-57	139.8	34.94 -64.06	99.00 SHORT
PRM	SHAWANO WI		295 C3		44-45-14 88-20-01	0.0 -1	0.00 .00	.0 SHORT
WUPM LIC	IRONWOOD MI	BLH-880929KA	295 C1	100.0 151.0	46-28-18 90-00-43	325.6	231.49 20.49	211.0 CLEAR
ALLOC	WISCONSIN DELLS WI	DOC-90-491	295 A		43-36-50 89-36-26	218.8	162.53 20.53	142.0 CLEAR
** ORDERED FROM CHANNEL 296-A **								
WFON LIC	FOND DU LAC WI	BLH-3824	296 A	3.0 91.0	43-53-22 88-22-06	181.6	101.65 12.65	89.0 CLEAR

TABLE II, CONCLUDED

CHANNEL STUDY

JOB TITLE: SHAWANO, WISCONSIN  
 CHANNEL: 295  
 FREQUENCY: 106.9 MHZ  
 CLASS: C3  
 COORDINATES: 44°-45'-14" N.L. 88°-20'-01" W.L. (WOWN AUTHORIZED SITE)  
 PETITIONERS: WHEELER BROADCASTING, INC. & MIDWEST DIMENSIONS, INC.  
 DATE: NOVEMBER 22'ND, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WNNO-FM LIC	WISCONSIN WI	DELLS BMLH-900110KC	295 A	3.1 98.0	43-38-23 89-43-14	218.8	162.53 20.53	142.0 CLEAR
** ORDERED TO CHANNEL 295-A BY DOC-40-491 **								
PRM	BRILLION WI	DOC-91-219	298 C3		44-19-10 87-57-30	148.3	56.75 13.75	43.0 CLEAR
WEZR CP	BRILLION WI	BMPH-920211ID	298 A	6.0 100.0	44-15-27 88-11-43	168.7	56.22 14.22	42.0 CLEAR
PRM	BRILLION WI	DOC-91-219	298 C3		44-16-30 87-57-30	150.7	61.01 18.01	43.0 CLEAR

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TABLE III

CHANNEL STUDY

JOB TITLE: OCONTO, WISCONSIN  
 CHANNEL: 246  
 FREQUENCY: 97.1 MHZ  
 CLASS: A  
 COORDINATES: 44°-52'-18" N.L. 88°-03'-23" W.L. (ILLUSTRATIVE SITE)  
 PETITIONERS: WHEELER BROADCASTING, INC AND MIDWEST DIMENSIONS, INC.  
 DATE: NOVEMBER 23'RD, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DI ST. (KM.)	REQ. (KM.)
WBDK LIC	ALGOMA WI	BLH-861124KB	243 A	3.0 100.0	44-39-26 87-33-45	121.4	45.79 14.79	31.0 CLEAR
** ORDERED TO CHANNEL 244-C3 BY DOC-89-282 **								
ALLOC	ALGOMA WI	DOC-89-282	244 C3		44-38-08 87-37-37	127.7	42.95 0.95	42.0 CLEAR
WBDK APP	ALGOMA WI	BPH-920624IC	244 C3	25.0 86.0	44-38-52 87-33-54	122.6	46.18 4.18	42.0 CLEAR
WGLQ	ESCANABA MI		245 C		46-08-04 86-56-52	31.7	164.94 0.06*	165.0 CLEAR
** THIS PROPOSAL WOULD MOVE WGLQ TO THIS CHANNEL WHERE IT CLEARS WITH ROUNDING UP TO NEAREST KILOMETER **								
WUSW LIC	OSHKOSH WI	BLH-911129KB	245 A	6.0 100.0	44-06-01 88-32-02	203.9	93.76 41.76	72.0 CLEAR
PRM	OCONTO WI		246 A		44-52-18 88-03-23	0.0	0.00 -115.00	115.0 SHORT
** THIS PROPOSAL WOULD ADD THIS CHANNEL **								
WGLQ LIC	ESCANABA WI		246 C	100.0 325.0	46-08-04 86-56-52	31.7	164.94 -61.06	226.0 SHORT
** THIS PROPOSAL WOULD DELETE THIS CHANNEL **								
WCOW-FM LIC	SPARTA WI	BLH-881215KB	246 C1	100.0 179.0	43-58-06 90-51-35	245.8	244.79 44.79	200.0 CLEAR
WZTT CP	RHINELANDER WI	BMPH-870303IP	248 C1	100.0 235.0	45-22-43 89-11-38	302.2	105.75 30.75	75.0 CLEAR
WFNL LIC	STURGEON BAY WI	BLH-900619KD	249 A	2.0 122.0	44-54-21 87-22-15	86.0	54.29 23.29	31.0 CLEAR
WFNL CP	STURGEON BAY WI	BPH-900806IE	249 A	2.0 169.0	44-54-21 87-22-15	86.0	54.29 23.29	31.0 CLEAR

TABLE IV  
CHANNEL STUDY

JOB TITLE: ESCANABA, MICHIGAN  
 CHANNEL: 245  
 FREQUENCY: 96.9 MHZ  
 CLASS: C  
 COORDINATES: 46°-08'-04" N.L. 86°-56'-52" W.L. (WGLQ CURRENT SITE)  
 PETITIONERS: WHEELER BROADCASTING, INC AND MIDWEST DIMENSIONS, INC.  
 DATE: NOVEMBER 23'RD, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DI ST. (KM.)	REQ. (KM.)
PRM	PESHTIGO		242		45-07-19	212.1	132.80	105.0
	WI	DOC-91-240	C2		87-51-07		27.80	CLEAR
** ADDITION OF THIS CHANNEL PROPOSED **								
WOLF-FM	HOUGHTON		242	100.0	47-08-06	311.9	166.44	105.0
CP	MI	BPH-901218JZ	C1	177.0	88-33-53		61.44	CLEAR
WBDK	ALGOMA		243	3.0	44-39-26	196.3	171.04	95.0
LIC	WI	BLH-861124KB	A	100.0	87-33-45		76.04	CLEAR
** ORDERED TO CHANNEL 244-C3 BY DOC-89-282 **								
WBDK	ALGOMA		244	25.0	44-38-52	196.3	172.15	176.0
APP	WI	BPH-920624IC	C3	86.0	87-33-54		-3.85	SHORT
ALLOC	ALGOMA		244		44-38-08	197.7	174.87	176.0
	WI	DOC-89-282	C3		87-37-37		-1.13	SHORT
WWLZ	CADILLAC		244	7.2	44-22-51	150.7	223.40	176.0
APP	MI	BPH-920602IC	C3	184.0	85-33-24		47.40	CLEAR
ALLOC	CADILLAC		244		44-20-25	151.9	226.01	176.0
	WI	DOC-90-471	C3		85-35-34		50.01	CLEAR
WGLQ	ESCANABA		245		46-08-04	0.0	0.00	290.0
	MI		C		86-56-52		-290.00	SHORT
** THIS PROPOSAL WOULD MOVE WGLQ TO THIS CHANNEL **								
WUSW	OSHKOSH		245	6.0	44-06-01	208.9	258.23	226.0
LIC	WI	BLH-911129KB	A	100.0	88-32-02		32.23	CLEAR
PRM	OCONTO		246		44-52-18	211.7	164.94	165.0
	WI		A		88-03-23		-0.06*	CLEAR
** THIS PROPOSAL WOULD ADD THIS CHANNEL WHICH WOULD CLEAR WITH ROUNDING UP TO THE NEAREST KILOMETER **								

TABLE IV, CONCLUDED

CHANNEL STUDY

JOB TITLE: ESCANABA, MICHIGAN  
CHANNEL: 245  
FREQUENCY: 96.9 MHZ  
CLASS: C  
COORDINATES: 46°-08'-04" N.L. 86°-56'-52" W.L. (WGLQ CURRENT SITE)  
PETITIONERS: WHEELER BROADCASTING, INC. AND MIDWEST DIMENSIONS, INC.  
DATE: NOVEMBER 23'RD, 1992

CALL STATUS	CITY STATE	FCC FILE	CHAN CLS	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DI ST. (KM.)	REQ. (KM.)
WGLQ LIC	ESCANABA WI		246 C	100.0 325.0	46-08-04 86-56-52	0.0	0.00 -241.00	241.0 SHORT
** THIS PROPOSAL WOULD DELETE THIS CHANNEL **								
WMQT LIC	ISHPEMING MI	BLH-850515KC	298 C1	100.0 161.0	46-28-42 87-37-21	306.3	64.52 23.52	41.0 CLEAR

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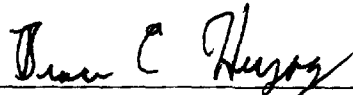
CERTIFICATE OF SERVICE

I, Bruce Herzog, Broadcast Engineering Consultant  
for Wheeler Broadcasting, Inc. and for Midwest Dimensions, Inc.,  
hereby certify that I have this Twenty-fifth day of November,  
1992, sent a copy of the Comments to the Notice Of Proposed  
Rulemaking (Docket 92-228) by Wheeler Broadcasting, Inc. and  
Midwest Dimensions, Inc. by Federal Express to:

Malcolm G. Stevenson  
Schwartz, Woods & Miller  
The Dupont Circle Building, Suite 300  
1350 Connecticut Avenue, N.W.  
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Escanaba, MI 49829

WOCO-FM Radio  
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3829 Highway 22 West  
Oconto, WI 54153



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Bruce Charles Herzog